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TO

Amend the Law relating to Fairs and Markets in Ireland. A.D. 1890.

**B**E it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

- 5    1. This Act shall apply to Ireland only. Application  
of Act.
2. This Act may be cited for all purposes as the Tolls at Fairs Short title.  
and Markets (Ireland) Act, 1890.
3. Where in any town in Ireland the right to hold fairs or Local author-  
ity may  
purchase  
tolls.  
markets in or near such town, or the right to impose, charge,  
10 or collect tolls in, at, or in respect of any such fair or market,  
is vested in any person, other than the local authority in such  
town, such local authority may purchase such right from such  
person.
4. For the purpose of any such purchase the Lands Clauses Acts Regulations  
as to pur-  
chase.  
15 (so far as same are applicable) shall be incorporated with this Act,  
provided as follows; that is to say,  
     (1.) In the construction of the said Acts the word "lands"  
therein shall for the purposes of this Act be deemed to include  
any such right as aforesaid.
- 20    (2.) Where under the provisions of the said Acts and this Act  
any such right is purchased otherwise than by agreement, the  
arbitrator appointed under the said Acts shall ascertain, so  
far as is possible, the average net amount received under or  
in respect of such right for the five years immediately prior  
25 to the date of the purchase; and in estimating the price or  
compensation to be paid by the local authority in respect of  
such purchase shall have regard to such amount only.
- 5.—(1.) The expenses incurred by the local authority in the Borrowing  
powers of  
local author-  
ity.  
execution of this Act shall be defrayed and defrayable out of the  
30 rate or rates leviable by them.

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(2.) The local authority may, for the purpose of defraying such expenses, borrow or re-borrow and take up at interest any sums of money necessary for defraying any such expenses on the credit of the rate or rates leviable by them; and for the purpose of securing the repayment of any sums so borrowed, with interest thereon, they may mortgage to the person or persons by or on behalf of whom such sums are advanced such rate or rates, or the tolls acquired by them under this Act. 5

(3.) The money may be borrowed for such time, not exceeding sixty years, as the local authority may determine, and the local authority shall either pay off the moneys so borrowed by equal annual instalments of principal, or of principal and interest, or they shall in every year set apart as a sinking fund, and accumulate in the way of compound interest by investing the same in the purchase of Exchequer bills or other Government securities, such sum as will, with accumulations in the way of compound interest, be sufficient after payment of all expenses to pay off the moneys so borrowed within the period fixed for the repayment of the loan. 10 15

Power of Board of Works to lend to local authority.

6. *Where under this Act a local authority is authorised to borrow any sum or sums of money, the Commissioners of Public Works in Ireland may, with the consent of the Commissioners of Her Majesty's Treasury, advance any such sum or sums on loan to such authority on the securities which such authority is by the provisions of this Act authorised to give, such loan to be repaid within a period not exceeding fifty years, and to bear interest at the rate of three and a half per centum per annum, or such other rate as may in the judgment of the Commissioners of Her Majesty's Treasury be necessary in order to enable the loan to be made without loss to the Exchequer.* 20 25 30

Right of local authority to collect tolls and to hold fair or market.

7. A local authority which under the provisions of this Act has acquired any such right as aforesaid may exercise such right in the same manner and subject to the same conditions as the person from whom such right was purchased: Provided that the local authority may change the place in which any such fair or market is held, and may hold any such fair or market in any place where same may by law be held. 35

Tolls collected by local authority, how disposed of.

8. All sums received, levied, or collected by a local authority in the exercise of any such right acquired by them as aforesaid shall be disposed of in the following manner; that is to say, 40  
(a.) (Firstly) to defray the expenses of collection, and subject thereto

(b.) (Secondly) to defray the interest and instalments of principal or sinking fund payable in respect of any moneys borrowed in pursuance of the provisions of this Act, and subject thereto

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(c.) (Thirdly) to defray any expenses incurred in promoting or improving any such fair or market or the interests of same, or in providing a suitable place for the holding of same, or in altering or improving such place, and subject thereto

(d.) (Fourthly) in relief of the rates leviable by such local authority.

9. In this Act, if not inconsistent with the context, the following terms have the meanings herein-after respectively assigned to them; (that is to say,)

Interpretation of terms.

"Local authority" means the town council of any town corporate, commissioners appointed by virtue of an Act passed in the ninth year of His Majesty King George the Fourth, intituled "An Act to make provision for the lighting, cleansing, and watching of cities and towns corporate and market towns in Ireland in certain cases," and any municipal town commissioners or township commissioners appointed under any general or local Act.

"Town" includes "city," and means any town or city having a local authority.

"Person" includes any body of persons, whether corporate or unincorporate.

"Lands Clauses Acts" means and includes the Lands Clauses Consolidation Act, 1845, as the same is amended by the Lands Clauses Consolidation Acts Amendment Act, 1860; the Railways Act (Ireland), 1851; the Railways Act (Ireland), 1860; and the Railways Act (Ireland), 1864; and any Act amending the said Acts.

"Tolls" includes any charge or sum leviable on or payable by any person in respect of the sale or the exposing for sale by him of any commodity or thing at any fair or market.

**Markets and Fairs  
(Ireland).**

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**B I L L**

**To amend the Law relating to Fairs  
and Markets in Ireland.**

*(Prepared and brought in by  
Mr. F. D. Sullivan, Mr. Stuch, Parnell, Mr. Lenehan,  
and Mr. John Redmond).*

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